



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,679	04/06/2001	Craig L. Reding	Verizon-7APP	6744

26479 7590 01/30/2003

STRAUB & POKOTYLO
1 BETHANY ROAD, SUITE 83
BUILDING 6
HAZLET, NJ 07730

EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
----------	--------------

2645

DATE MAILED: 01/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/828,679

Applicant(s)

REDING ET AL.

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☒ Claim(s) 1,13 and 26 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: Page 15, line 15 is missing the application number. Correction is required.

Claim Objections

2. **Claims 1, 13 and 26** objected to because of the following informalities: **claim 1**, line 3 "(SMDI)" and line 4 "(IP)" is confusing having parenthesis in the claim limitation. **Claims 13 and 26** have the same problem. Correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1, 6-7, 13, 15, 26 and 28-29** are rejected under 35 U.S.C. 102(e) as being anticipated by Curry et al. (US 6,078,582).

Regarding **claim 1**, Curry discloses an Internet long distance telephone service (column 1, lines 5-7), (which reads on claimed "a communications method"), comprising:

monitoring a simplified message desk interface communications link (104 on FIG. 7) to detect a SMDI message (column 14, lines 19-27) [The simplified message desk interface sends and receives signaling data to the signaling network];

generating an Internet Protocol message (column 14, line 34 "data signals") including at least one IP packet (column 14, line 40 "TCP/IP packets"), the IP packet including at least some information (column 14, line 32 "communication data") obtained from a detected SMDI message (column 14, lines 32-47) [The PAD receives signaling and communication data from data packets receives by the router and outputs signaling data from the SMDI]; and

transmitting the IP message over a communications channel (114 on FIG. 7), which supports the transmission of IP packets (column 14, lines 37-40) [The IP message is transmitted over the LAN to a packet disassembler to packetize data into TCP/IP packets].

Regarding **claim 6**, Curry discloses in response to detecting a SMDI history message, storing at least some information included in the SMDI history message (column 14, lines 19-27).

Regarding **claim 7**, Curry discloses the step of generating an IP message includes:

incorporating at least some of the stored information obtained from the SMDI history message in the IP message (column 14, lines 19-27).

Regarding **claim 13**, Curry discloses an Internet long distance telephone service (column 1, lines 5-7), (which reads on claimed "a method of operating an Internet Protocol messaging device") the method comprising:

receiving a simplified message desk interface message (column 14, lines 19-27) [The simplified message desk interface sends and receives signaling data to the signaling network];

generating an Internet Protocol (IP) message (column 14, line 34 "data signals") including at least one IP packet (column 14, line 40 "TCP/IP packets") and at least some information (column 14, line 32 "communication data") obtained from the received SMDI message (column 14, lines 32-47) [The PAD receives signaling and communication data from data packets receives by the router and outputs signaling data from the SMDI]; and

transmitting the IP message to an IP communications network (column 14, lines 37-40) [The IP message is transmitted over the LAN to a packet disassembler to packetize data into TCP/IP packets].

Regarding **claim 15**, Curry discloses using information in a received SMDI message to access a database including Internet Protocol address information (column 14, lines 48-53); and using at least some of the retrieved Internet Protocol address information in the IP message (column 14, lines 36-40).

Regarding **claim 26**, Curry discloses an Internet long distance telephone service (column 1, lines 5-7), (which reads on claimed “a message server for generating Internet Protocol messages from simplified message desk interface messages”), the message server comprising:

means (106 on FIG. 7) for receiving simplified message desk interface messages (column 14, line 21 “signaling data”) from a simplified message desk interface data link (104 on FIG. 7 and column 14, lines 19-27) [The simplified message desk interface sends and receives signaling data to the signaling network];

stored Internet address information (column 14, lines 48-53) [The Internet telephony service includes a database to store the network address information]; and

an Internet Protocol message generation module (116 on FIG. 7) for generating an Internet Protocol message (column 14, line 34 “data signals”) including IP address information (column 14, line 40 “TCP/IP packets”) and at least some information (column 14, line 32 “communication data”) obtained from a received simplified message desk interface data link (column 14, lines 32-47) [The PAD receives

signaling and communication data from data packets receives by the router and outputs signaling data from the SMDI].

Regarding **claim 28**, Curry discloses a simplified message desk interface history message store for storing received history messages (column 14, lines 48-53).

Regarding **claim 29**, Curry discloses the Internet Protocol message generation module includes at least a portion of a routine for accessing a stored history message to obtain calling party name or directory number information (column 14, lines 61-66).

5. **Claims 19-21, 30 and 33** are rejected under 35 U.S.C. 102(e) as being anticipated by Swistock (US 6,389,115).

Regarding **claim 19**, Swistock discloses a system for notifying a user of voice mail message (column 1, lines 7-10), (which reads on claimed "communications system, comprising:

a telephone switch (124 on FIG. 1A);

a voice messaging system (122 on FIG. 1A);

a communications link (Phone Lines on FIG. 1A) coupled to the telephone switch and to the voice messaging system for carrying voice message waiting information (column 3, line 15 "message waiting indicator") between the voice messaging system and the telephone switch (column 3, lines 11-17) [The voice messaging system generates a signal that includes a message waiting indicator to the receiving phone]; and

an Internet Protocol message server (140 on FIG. 1A) coupled to the communications link for detecting voice message waiting information (column 3, lines 21-22 "message waiting indicator") transmitted over the communications link and for generating an Internet Protocol message (column 3, line 23 "MWI signal") including at least some of the voice message waiting information (column 3, lines 18-25) [The customer premise internet connector reads signals generated by the voice mail system obtains message waiting indicator and transmitted the signal using HTTP].

Regarding **claim 20**, Swistock discloses the voice messaging waiting information is a message waiting indicator control signal (column 3, lines 18-25).

Regarding **claim 21**, Swistock discloses a voice message retrieval device coupled to the Internet Protocol message server by an Internet Protocol communications channel, the voice message retrieval device operating to retrieve a waiting message from the voice messaging system in response to receiving an IP message including operate message waiting indicator information (column 3, lines 11-17).

Regarding **claim 30**, Swistock discloses a system for notifying a user of voice mail message (column 1, lines 7-10), (which reads on claimed "a system for providing voice messaging service to a plurality of message service subscribers"), the system comprising:

- a telephone switch (124 on FIG. 1A);
- a voice messaging system (122 on FIG. 1A);
- a simplified message desk interface communications channel (126 on FIG. 1A) coupling the voice messaging system to the telephone switch (column 3, lines 51-58) [The PBX is routing an internal phone call from the voice mail system to the customer premise internet connector];
- an Internet Protocol network (130 on FIG. 1A) for communicating messages (column 3, line 23 "new messages") using the Internet Protocol (column 3, lines 22-25)

[The customer premise internet connector sends signals a number of new messages and notification via the internet using HTTP]; and

an Internet Protocol message server (140 on FIG. 1A) coupled to the simplified message desk interface communications channel and to the Internet Protocol network, the Internet Protocol message server generating IP messages (column 3, line 23 "MWI signal") from simplified message desk interface messages (column 3, line 20 "SMDI signals") transmitted over the simplified message desk interface communications channel (column 3, lines 18-34) [The customer premise internet connector reads signals generated by the voice mail system obtains message waiting indicator from the SMDI signals and transmitted the signal using HTTP world wide web protocol].

Regarding **claim 33**, Swistock discloses a voice message retrieval system coupled to the Internet Protocol message server by the Internet Protocol network, the voice message retrieval system operating to retrieve voice messages from the voice message retrieval system in response to Internet Protocol messages received from the Internet Protocol message server (column 3, lines 18-34).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. **Claims 2, 8-12, 16-18 and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Curry in view of Brilla et al. (US 6,389,276).

Regarding **claim 2**, Curry as applied to **claim 1** above differs from **claim 2** in that it fails to disclose an RS-232 cable.

However, Brilla teaches the SMDI communications link includes an RS-232 cable (column 10, line 45 "RS-232 connection") connecting a voice message system to telephone switching circuitry, the method further comprising:

prior to performing the monitoring step, inserting a tee connection into the SMDI communications link to allow for monitoring of the link (column 10, lines 37-49).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use an RS-232 cable of Brilla in the invention of Curry.

The modification of the invention would offer the capability of an RS-232 cable such as the system would send the signal via a modem.

Regarding **claim 8**, Curry as applied to **claim 6** above differs from **claim 8** in that it fails to disclose a SMDI message waiting indicator control message.

However, Brilla teaches in response to detecting a SMDI message waiting indicator control message, using directory number information included in the SMDI message waiting indicator control message to retrieve stored SMDI history message information (column 3, lines 11-17).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a SMDI message waiting indicator control message of Brilla in the invention of Curry.

The modification of the invention would offer the capability of a SMDI message waiting indicator control message such as the system would send the signal via a modem.

Regarding **claim 9**, Curry discloses the step of generating an IP message includes incorporating at least some of the retrieved IP history message information in the IP message (column 14, lines 32-40).

Regarding **claim 10**, Curry discloses at least some of the retrieved IP history message information includes at least one of a calling party name and a calling party telephone number (column 14, lines 61-66).

Regarding **claim 11**, Curry and Brilla as applied to **claim 10** above differ from **claim 11** in that it fails to disclose an E-mail message.

However, Brilla teaches the IP message is an E-mail message (column 9, lines 14-21).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use an E-mail message of Brilla in the invention.

The modification of the invention would offer the capability of an E-mail message such as the system would send the signal via a modem.

Regarding **claim 12**, Curry discloses the step of generating an IP message further includes incorporating at least some information from the detected SMDI message waiting indicator control message in the IP message (column 14, lines 32-40).

Regarding **claim 16**, Curry as applied to **claim 15** above differs from **claim 16** in that it fails to disclose an E-mail message.

However, Brilla teaches the Internet Protocol address information
Includes an E-mail address (column 9, lines 14-21); and

wherein the IP message is an E-mail message (column 9, lines 18-21).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use an E-mail message of Brilla in the invention of Curry.

The modification of the invention would offer the capability of an E-mail message such as the system would send the signal via a modem.

Regarding **claim 17**, Curry discloses prior to receiving the SMDI message, receiving Internet Protocol address information and directory number information for each of a plurality of voice mail service subscribers from a service control point coupled to the Internet Protocol messaging device (column 14, lines 32-47).

Regarding **claim 18**, Curry discloses using information in a received SMDI message to access a database including Internet Protocol address information, includes comparing a directory number or message line indicator received in the SMDI message to the directory number information received from the service control point (column 14, lines 19-27).

Regarding **claim 27**, Curry as applied to **claim 26** above differs from **claim 27** in that it fails to disclose an E-mail message.

However, Brilla teaches the stored Internet address information includes E-mail addresses of voice message service subscribers (column 9, lines 14-21).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use an E-mail message of Brilla in the invention of Curry.

The modification of the invention would offer the capability of an E-mail message such as the system would send the signal via a modem.

9. **Claim 3**, is rejected under 35 U.S.C. 103(a) as being unpatentable over Curry in view of Swistock.

Regarding **claim 3**, Curry as applied to **claim 1** above differs from **claim 3** in that it fails to disclose a SMDI message waiting indicator control message.

However, Swistock teaches in response to detecting a SMDI message waiting indicator control message, performing a database look-up operation to retrieve IP message routing information associated with a directory number included in the detected SMDI message (column 4, lines 46-51); and

wherein the step of generating an IP message includes including at least some of the retrieved IP message routing information in the IP message (column 4, lines 46-59).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a SMDI message waiting indicator control message of Swistock in the invention of Curry.

The modification of the invention would offer the capability of a SMDI message waiting indicator control message such as the system would send a notification via a network.

10. **Claims 4-5**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Curry in view of Swistock and in further view of Brilla.

Regarding **claim 4**, Curry and Swistock as applied to **claim 3** above differ from **claim 4** in that it fails to disclose an E-mail message.

However, Brilla teaches the IP message is an E-mail message and wherein the IP message routing information includes an E-mail address (column 10, lines 14-21).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use an E-mail message of Brilla in the invention of Curry and Swistock.

The modification of the invention would offer the capability of an E-mail message such as the system would send a notification via a network.

Regarding **claim 5**, Curry and Swistock as applied to **claim 3** above differ from **claim 5** in that it fails to disclose an IP address.

However, Brilla teaches the IP message routing information includes an IP address (column 8, lines 40-46).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use an IP address of Brilla in the invention of Curry and Swistock.

The modification of the invention would offer the capability of an IP address such as the system would send a notification via a network.

11. **Claim 14**, is rejected under 35 U.S.C. 103(a) as being unpatentable over Curry in view of Farris et al. (US 6,404,858).

Regarding **claim 14**, Curry as applied to **claim 13** above differs from **claim 14** in that it fails to disclose the step of receiving a SMDI message.

However, Farris teaches the step of receiving a SMDI message includes receiving one of a frequency shift keying and a phase shift keying encoded signals (column 26, lines 49-58); and

wherein the step of generating an IP message includes the step of including a message waiting indicator control signal obtained from the received SMDI message in the IP message (column 14, lines 33-43).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the step of receiving a SMDI message of Farris in the invention of Curry.

The modification of the invention would offer the capability of the step of receiving a SMDI message such as the system would send a notification via a network.

12. **Claims 22, 25 and 31-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Swistock in view of Curry.

Regarding **claim 22**, Swistock as applied to **claim 20** above differs from **claim 22** in that it fails to disclose a simplified message desk interface link.

However, Curry teaches the communications link is a simplified message desk interface link (column 14, lines 19-27).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a simplified message desk interface link of Curry in the invention of Swistock.

The modification of the invention would offer the capability of a simplified message desk interface link such as the system would send a notification via a network.

Regarding **claim 25**, Swistock as applied to **claim 19** above differs from **claim 25** in that it fails to disclose a database of voice message service subscriber information.

However, Curry teaches the Internet Protocol message server further includes:
a database of voice message service subscriber information including directory number and Internet Protocol address information (column 14, lines 48-53).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a database of voice message service subscriber information of Curry in the invention of Swistock.

The modification of the invention would offer the capability of a database of voice message service subscriber information such as the system would send a notification via a network.

Regarding **claim 31**, Swistock as applied to **claim 30** above differs from **claim 31** in that it fails to disclose a service control point and a data network.

However, Curry teaches a service control point including subscriber service information and subscriber Internet address information (column 7, lines 49-54); and a data network coupling the service control point to the telephone switch and to the Internet Protocol message server (column 7, lines 49-56).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a service control point and a data network of Curry in the invention of Swistock.

The modification of the invention would offer the capability of a service control point and a data network such as the system would send a notification via a network.

Regarding **claim 32**, Swistock and Curry as applied to **claim 31** above differ from **claim 32** in that it fails to disclose a database of voice message service subscriber Internet address information.

However, Curry teaches the Internet Protocol message server includes a database of voice message service subscriber Internet address information and directory number information downloaded from the service control point (column 14, lines 61-66).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a database of voice message service subscriber Internet address information of Curry in the invention.

The modification of the invention would offer the capability of a database of voice message service subscriber Internet address information such as the system would send a notification via a network.

13. **Claims 23 and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Swistock in view of Curry and in further view of Farris.

Regarding **claim 23**, Swistock and Curry as applied to **claim 22** above differ from **claim 23** in that it fails to disclose means for decoding at least one of a Frequency Shift Keying signal and means for generating an IP message.

However, Farris teaches the Internet Protocol server includes:

means for decoding at least one of a Frequency Shift Keying signal and a Phase Shift Keying signal to generate decoded simplified message desk interface message information (column 26, lines 49-58); and

means for generating an IP message including at least some of the decoded simplified message desk interface message information (column 14, lines 33-43).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use means for decoding at least one of a Frequency Shift Keying signal and means for generating an IP message of Farris in the invention Swistock and Curry.

The modification of the invention would offer the capability of means for decoding at least one of a Frequency Shift Keying signal and means for generating an IP message such as the system would send a notification via a network.

Regarding **claim 24**, Swistock, Curry and Farris as applied to **claim 23** above differ from **claim 24** in that it fails to disclose a database of voice message service subscriber information.

However, Curry teaches the Internet Protocol message server further includes:
a database of voice message service subscriber information including directory number and Internet Protocol address information (column 14, lines 48-53).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use a database of voice message service subscriber information of Curry in the invention.

The modification of the invention would offer the capability of a database of voice message service subscriber information such as the system would send a notification via a network.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Strauss et al. is cited for an Internet work telephony (FIG. 1).


Curry et al. is cited for a public wireless/ cordless Internet gateway (FIG. 1).

Chang et al. is cited for an internet-web link for access to intelligent (FIG. 1).

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g.
January 14, 2003

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

